



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY  
REGION 5  
77 WEST JACKSON BOULEVARD  
CHICAGO, IL 60604-3590

356 9 ft

FEB 25 2010

ATTENTION OF:  
SE-5J

**CERTIFIED MAIL**  
**RETURN RECEIPT REQUESTED**

Joseph J. Piscazzi, Trustee  
Joseph J. Piscazzi Revocable Trust  
2860 Marcia Boulevard  
Cuyahoga Falls, OH 44223

Dear Mr. Piscazzi:

In December, 2009, the United States Environmental Protection Agency (U.S. EPA) received your additional information in response to a September 15, 2009, information request to the Joseph J. Piscazzi Revocable Trust (the Trust), pursuant to Section 104(e) of the Comprehensive Environmental Response, Compensation, and Liability Act (CERCLA) as amended, 42 U.S.C. § 9604(e). The information request pertained to the Cleveland Trencher Site, Euclid, Ohio.

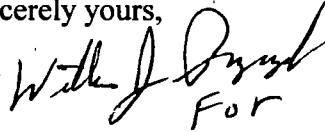
In your response you stated that you have a "judicially determined unsecured note on an invalid mortgage," that you thought you had a "3<sup>rd</sup> mortgage but because it was filed improperly it was declared invalid," and that you "never really had a mortgage." U.S. EPA cannot find any documentation in the materials you provided that support such representations. By this letter, U.S. EPA requests that you provide a copy of the judicial determination declaring your mortgage to Cleveland Trencher invalid, as well as any and all other documentation pertaining to the above representations. Please submit such documentation within seven (7) calendar days of your receipt of this request.

You may, if you desire, assert a business confidentiality claim described by 40 CFR 2.203(b). Information covered by such a claim will be disclosed by U.S. EPA only to the extent, and only by means of the procedures, provided in CFR Part 2, Subpart B. If no such claim accompanies the information when it is received by U.S. EPA, it may be made available to the public by U.S. EPA without further notice to the Trust.

Failure to comply with the U.S. EPA's information request by fully, truthfully and timely responding to all items of that request, or adequately justifying such failure to respond, may subject the Trust to an enforcement action seeking to compel compliance and collect penalties of up to \$32,500 per day of noncompliance pursuant to Section 104(e)(5) of CERCLA, 42 U.S.C. § 9604(e)(5) and as adjusted by 69 Fed. Reg. 7121-27 (Feb. 13, 2004) (codified at 40 C.F.R. § 19.4) pursuant to the Debt Collection Improvement Act of 1996. U.S. EPA has the authority to use the information requested herein in an administrative, civil, or criminal action.

Please contact Kevin Chow, Associate Regional Counsel, at (312) 353-6181 if you have any legal questions regarding this matter. All other questions should be directed to Carol Ropski Emergency Enforcement Services Section, at (312) 353-7647.

Sincerely yours,

A handwritten signature in black ink, appearing to read "William D. Messenger". Below the signature, the letters "FOR" are written in a stylized, handwritten font.

William D. Messenger, Chief  
Emergency Enforcement Services Section

Enclosure

U.S. Postal Service

# CERTIFIED MAIL RECEIPT

(Domestic Mail Only; No Insurance Coverage Provided)

R'opski (SE-5A) Cleveland OH

2/25/10

Postage Received

Certified Fee

Return Receipt Fee  
(Endorsement Required)

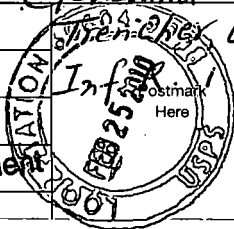
Restricted Delivery Fee  
(Endorsement Required)

Emergency

FEB 26 2010

Enforcement  
Services Section

Total Postage



Sent To

Street, Apt.  
or PO Box

City, State,

Joseph J. Piscazzi, Trustee

Joseph J. Piscazzi Revocable Trust

2860 Marcia Boulevard

Cuyahoga Falls, OH 44223

8089 T610 9000 0220 T002

**SENDER: COMPLETE THIS SECTION**

- Complete items 1, 2, and 3. Also complete item 4 if Restricted Delivery is desired.
- Print your name and address on the reverse so that we can return the card to you.
- Attach this card to the back of the mailpiece, or on the front if space permits.

1. Article Addressed to:

Joseph J. Piscazzi, Trustee  
Joseph J. Piscazzi Revocable Trust  
2860 Marcia Boulevard  
Cuyahoga Falls, OH 44223

2. Article Number  
(Transfer from service label)

7001 0320 0006 0191 6808

**COMPLETE THIS SECTION ON DELIVERY**

A. Received by (Please Print Clearly) B. Date of Delivery

*Joe Piscazzi* 2/27/10

C. Signature

X *JOE PISCACCI* ☐ Agent  
☐ Addressee

D. Is delivery address different from item 1? ☐ Yes  
If YES, enter delivery address below: ☐ No

3. Service Type

☐ Certified Mail ☐ Express Mail  
☐ Registered ☐ Return Receipt for Merchandise  
☐ Insured Mail ☐ C.O.D.

4. Restricted Delivery? (Extra Fee) ☐ Yes